

Explanatory Memorandum to The Senedd Cymru Constituency Regulations 2025.

This Explanatory Memorandum has been prepared by the Senedd Reform Division and is laid before Senedd Cymru in conjunction with the above subordinate legislation and in accordance with Standing Order 27.1.

Cabinet Secretary's Declaration

In my view, this Explanatory Memorandum gives a fair and reasonable view of the expected impact of The Senedd Cymru Constituency Regulations 2025.

Jayne Bryant MS
Cabinet Secretary for Housing and Local Government

19 June 2025

PART 1

1. Description

1.1 These regulations give legal effect to the boundaries of Senedd constituencies to be used for the first general election to be held after 6 April 2026 (“the 2026 Senedd general election”). The boundaries set out in these regulations are those which are specified in the Democracy and Boundary Commission Cymru’s (“DBCC”) [final determinations report](#), published on 11 March 2025.

2. Matters of special interest to the Legislation, Justice and Constitution Committee

2.1 None.

3. Legislative Background

3.1 New constituencies are required to ensure the workability of the revised electoral system – which will see 6 members returned for each of the 16 Senedd constituencies – established by the Senedd Cymru (Members and Elections) Act 2024 (“the 2024 Act”).

3.2 Paragraph 2(2) of Schedule 2 to the 2024 Act places a duty on the DBCC to conduct a boundary review to determine the new Senedd Constituencies.

3.3 Paragraph 8(1) of Schedule 2 to the 2024 Act places a duty on the DBCC to publish their final determinations of Senedd constituency boundaries for the 2026 Senedd General Election before 1st April 2025. The DBCC published their final determinations on 11 March 2025.

3.4 In accordance with Paragraph 8(5) of Schedule 2 to the 2024 Act, the Welsh Ministers then laid the final report containing the determinations of the DBCC before the Senedd on 11 March 2025.

3.5 Paragraph 9(1) of Schedule 2 to the 2024 Act provides that:

- *“The Welsh Ministers must make regulations giving effect to the determinations in the Commission’s final report”* and:
- *“Regulations under this paragraph must be made by statutory instrument”*

- 3.6 Therefore, there is no scope for Welsh Ministers to do anything via these regulations other than to give effect to the determinations in the DBCC's final report.
- 3.7 While the regulations are required to be laid before the Senedd under paragraph 9(7) of the 2024 Act, there is no Senedd procedure that is required for the making of the regulations.
- 3.8 The effect of the provisions in Schedule 2 to the 2024 Act - preventing either the Welsh Ministers or the Senedd from making changes to the DBCC's determinations - reflects the deliberate approach that ensures the independence, both actual and perceived, of the DBCC in the discharge of its functions.
- 3.9 While the regulations will come into force on 18 June 2025, they will not have effect until the dissolution of the Senedd in connection with the 2026 Senedd general election, in keeping with the provisions of paragraph 9(8) of Schedule 2 to the 2024 Act. This will ensure that the establishing of the new Senedd constituencies in law will not have any impact on the return of any Member of the Senedd or the constitution of the Senedd before an election at which the new system provided for by the 2024 Act will take effect.

4. Purpose and intended effect of the legislation

- 4.1 The purpose of these regulations is to discharge Welsh Minister's obligations under Paragraph 9 of Schedule 2 to the 2024 Act, to give legal effect to the recommendations of the DBCC in respect of the determination of Senedd constituencies to be used at the 2026 Senedd general election. In particular the regulations name and describe the new Senedd constituencies that will be used at the 2026 Senedd general election.
- 4.2 The regulations will also have the effect of abolishing the existing 40 constituencies and five electoral regions that are currently used to return Members of the Senedd.

5. Consultation

- 5.1 Two rounds of consultation were undertaken by the DBCC prior to the publication of their final report – one following the publication of their initial proposals on 3 September 2024, and another following the publication of their revised proposals on 17 December 2024. 3,741 representations were received [during the first round of consultation](#), and

365 representations were received [during the second round](#) of consultation.

5.2 No consultation has been undertaken by the Welsh Government, given the independence of the process undertaken by the DBCC.

6. Regulatory Impact Assessment (RIA)

6.1 The Welsh Ministers Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, an RIA has not been produced.

6.2 Where Welsh Ministers *must* bring forward Regulations that can *only* give effect to the recommendations of the DBCC, this statutory instrument falls within the exceptions set out in the code:

“Where the subordinate legislation is made in the exercise of statutory powers granted by an Act or Measure which does not in any way give the Welsh Ministers discretion as to how those powers should be exercised”.